

TEMPORARY

NO.68161-T

APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF NEVADA HERETOFORE APPROPRIATED

Date of filing in State Engineer's Office NOV 01 2001

Returned to applicant for correction

Corrected application filed

Map filed NOV 01 2001

The applicant **Las Vegas Valley Water District**, hereby makes application for permission to change the point of diversion, manner of use, and place of use of a portion of water heretofore appropriated under Permit 54073

1. The source of water is **underground**
2. The amount of water to be changed **0.454 c.f.s, 200 a.f.a.**
3. The water to be used for **power generation and related uses and domestic**
4. The water heretofore permitted for **municipal and domestic**
5. The water is to be diverted at the following point **within the SE¼ NE¼ Section 5, Township 18 South, Range 63 East, MDB&M, Clark County, Nevada, at a point from which the SE corner of the NE¼ of said Section 5 bears S.19°27'46"E., a distance of 1892.70 feet**
6. The existing permitted point of diversion is located within **Lot 1 (SW¼ SW¼) Section 32, Township 17 South, Range 63 East, MDB&M, Clark County, Nevada, at a point from which the SW corner of said Section 32 bears S. 39°06'46" W., a distance of 465 feet.**
7. Proposed place of use **N½ SE¼ and the NE¼ of Section 5, Township 18 South, Range 63 East, Range 63 East, and the access road passing through the SE¼ SE¼ of Section 32, Township 17 South, and the SW¼ Section 33, Township 17 South, Range 63 East, all of MDB&M, Clark County, NV, as shown on Exhibit A-1 of a deed recorded April 16, 2001, in book 20010416 as document number 01904 of the official records, Clark County, NV, as illustrated in map filed in connection with temporary application 67595-T.**
8. Existing place of use **within Clark, Lincoln, Nye, and White Pine Counties as set forth within NRS 243.035-243.385, and as described within Amended Application No. 54073**
9. Use will be from **January 1 to December 31** of each year.
10. Use was permitted from **January 1 to December 31** of each year.
11. Description of proposed works **Well, pump and appurtenances**
12. Estimated cost of works **\$500,000**
13. Estimated time required to construct works **1 year**
14. Estimated time required to complete the application of water to beneficial use **N/A-temporary permit**

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15. Remarks: Water under this temporary change application will be used by Mirant Las Vegas, LLC in connection with the Company's construction of a power generation facility with Garnet Basin.

By David A. Donnelly
s/David A. Donnelly
1001 S. Valley View Blvd.
Las Vegas, Nevada 89153

Compared dl/bk dl/bk

Protested _____

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This temporary permit to change the point of diversion, place of use and manner of use of a portion of the waters of an underground source as heretofore granted under Permit 54073 is issued subject to the terms and conditions imposed in said Permit 54073 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This temporary permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this temporary permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

Monthly records shall be kept of the amount of water pumped from this well and the records submitted to the State Engineer on a quarterly basis within 15 days after the end of each calendar quarter.

The water authorized under this temporary permit must only draw from the Carbonate Aquifer System.

The total combined duty of water under Permits 54073, 54074, 67650 and Temporary Permits 68056-T and 68161-T shall not exceed 2,200 acre-feet annually.

This temporary permit is issued pursuant to the provisions of NRS 533.345 Section 2 and will expire on **November 25, 2002** at which time all rights herein granted shall revert to the right being changed by this temporary permit.

(CONTINUED ON PAGE 3)

(PERMIT TERMS CONTINUED)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.454 cubic feet per second, but not to exceed 200 acre-feet annually.

Work must be prosecuted with reasonable diligence and be completed on or before:

Proof of completion of work shall be filed before:

Water must be placed to beneficial use on or before:

Proof of the application of water to beneficial use shall be filed on or before:

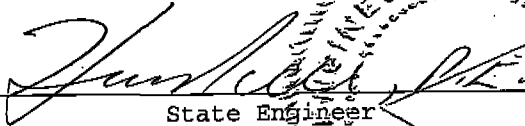
Map in support of proof of beneficial use shall be filed on or before:

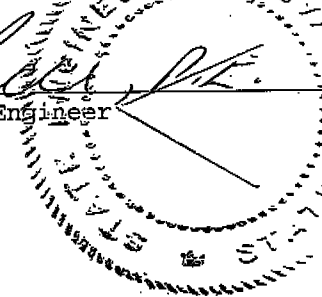
IN TESTIMONY WHEREOF, I, HUGH RICCI, P.E.,

State Engineer of Nevada, have hereunto set

my hand and the seal of my office

this 26th day of, November A.D. 2001


State Engineer



EXPIRED
DATE NOV 25 2002 